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United States Bankruptcy ( Northern District of Illinois									Voluntary	Petition
Name of Debtor (if individual Draiman, Nachshon	Name of Debtor (if individual, enter Last, First, Middle): Draiman, Nachshon					of Joint Do	ebtor (Spouse	e) (Last, First	, Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						used by the a maiden, and		in the last 8 years ):		
Last four digits of Soc. Sec. o (if more than one, state all)	r Individual-Taxpa	yer I.D. (I	TIN) No./	Complete E	IN Last fo	our digits o	of Soc. Sec. of state all)	r Individual-	Taxpayer I.D. (ITIN) No	o./Complete EIN
Street Address of Debtor (No. 195 N. Harbor Drive Unit 502	. and Street, City, a	and State):			Street	Address of	f Joint Debtor	r (No. and St	reet, City, and State):	
Chicago, IL			Г	ZIP Code 60601	_					ZIP Code
County of Residence or of the Cook	e Principal Place of	f Business		00001	Count	y of Reside	ence or of the	Principal Pla	ace of Business:	l
Mailing Address of Debtor (if 7520 N. Skokie Blvd. Skokie, IL	f different from stro	eet address	s):		Mailir	ng Address	of Joint Debt	tor (if differe	nt from street address):	
				ZIP Code 60077	_					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):										
Type of Debt  (Form of Organiz (Check one bo)  ■ Individual (includes Joint See Exhibit D on page 2 of Corporation (includes LLC) □ Partnership □ Other (If debtor is not one of check this box and state type)	ation)  Debtors)  of this form.  C and LLP)  f the above entities,	Singlin 11 Railr Stock	(Check th Care Bu le Asset Re U.S.C. § oad kbroker modity Bre ring Bank	eal Estate as 101 (51B)	defined	☐ Chapt☐	the 1 der 7 der 9 der 11 der 12	Petition is Fi	hapter 15 Petition for Refactor and a Foreign Main Procees thapter 15 Petition for Refactor and a Foreign Main Procees thapter 15 Petition for Refactor and a Foreign Nonmain Proceed to the box (a) The second seco	ecognition ding ecognition
		unde Code	or is a tax- r Title 26 o	exempt orgof the Unite	anization d States	defined "incum	are primarily cond in 11 U.S.C. street by an indivioual, family, or	§ 101(8) as idual primarily household pur	busine for rpose."	are primarily ess debts.
Filing Fee (Check one box)  ■ Full Filing Fee attached  □ Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  □ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				or Check	Debtor is if: Debtor's to insider all applica A plan is Acceptance	a small busin not a small b aggregate not s or affiliates; tble boxes: being filed w ces of the pla	ncontingent 1 are less than with this petition were solici	s defined in 11 U.S.C. § or as defined in 11 U.S.c. iquidated debts (excludin \$2,190,000.	C. § 101(51D). ing debts owed e or more	
Statistical/Administrative In  ☐ Debtor estimates that fund ☐ Debtor estimates that, afte there will be no funds ava	ls will be available er any exempt prop	for distrib erty is exc	oution to un luded and	administrat	editors.	es paid,		THIS	S SPACE IS FOR COURT	USE ONLY
Estimated Number of Credito  1- 50- 100- 49 99 199	200-	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated Assets	,000 to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion				
Estimated Liabilities	,001 to \$500,001 ,000 to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion				

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B1 (Official For	m 1)(1/08)	Paye 2 01 25	Page 2
Voluntary	y Petition	Name of Debtor(s): Draiman, Nachshon	
(This page mu	st be completed and filed in every case)	Diamian, Nachshon	
	All Prior Bankruptcy Cases Filed Within Last	t 8 Years (If more than two, attach ad	ditional sheet)
Location Where Filed:	Please See Attached Narrative Exhibit	Case Number: 04-11689	Date Filed: 3/24/04
Location Where Filed:		Case Number:	Date Filed:
Per	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more than	one, attach additional sheet)
Name of Debto Multiut Corp		Case Number: 09-17575	Date Filed: 5/14/09
District: United State	es Bankruptcy Court, Northern District of Illinois	Relationship: Shareholder/Director/Officer	Judge: Judge John H. Squires
	Exhibit A		hibit B whose debts are primarily consumer debts.)
forms 10K as pursuant to S	oleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.)	I, the attorney for the petitioner named have informed the petitioner that [he o 12, or 13 of title 11, United States Cod	in the foregoing petition, declare that I r she] may proceed under chapter 7, 11, le, and have explained the relief available ify that I delivered to the debtor the notice
☐ Exhibit	A is attached and made a part of this petition.	X /s/ Michael L. Ralph Signature of Attorney for Debtor(s) Michael L. Ralph 2279304	May 14, 2009 (Date)
	Exh	nibit C	
	or own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.	pose a threat of imminent and identifiable	harm to public health or safety?
	Exh	nibit D	
_	leted by every individual debtor. If a joint petition is filed, ea	· ·	separate Exhibit D.)
	D completed and signed by the debtor is attached and made	a part of this petition.	
If this is a joi	nt pention:  D also completed and signed by the joint debtor is attached a	and made a part of this petition.	
	Information Regardin	ng the Debtor - Venue	
_	(Check any ap	•	
	Debtor has been domiciled or has had a residence, princip- days immediately preceding the date of this petition or for		
	There is a bankruptcy case concerning debtor's affiliate, ge	eneral partner, or partnership pending	in this District.
	Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	in the United States but is a defendar	nt in an action or
	Certification by a Debtor Who Reside		ty
	(Check all app Landlord has a judgment against the debtor for possession		complete the following.)
	(Name of landlord that obtained judgment)		
	(Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment to		
	Debtor has included in this petition the deposit with the coafter the filing of the petition.	ourt of any rent that would become due	e during the 30-day period
	Debtor certifies that he/she has served the Landlord with the	his certification. (11 U.S.C. § 362(1)).	

## B1 (Official Form 1)(1/08) Voluntary Petition

(This page must be completed and filed in every case)

#### Signatures

#### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** /s/ Nachshon Draiman

Signature of Debtor Nachshon Draiman

 $\mathbf{X}$ 

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

May 14, 2009

Date

#### Signature of Attorney\*

X /s/ Michael L. Ralph

Signature of Attorney for Debtor(s)

Michael L. Ralph 2279304

Printed Name of Attorney for Debtor(s)

Ralph, Schwab & Schiever, Chartered

Firm Name

175 East Hawthorn Parkway

Suite 345

Vernon Hills, IL 60061

Address

847-367-9699 Fax: 847-367-9621

Telephone Number

May 14, 2009

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

#### Signature of a Foreign Representative

Page 3

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

Name of Debtor(s):

Draiman, Nachshon

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

#### **Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

v

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

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B 1D(Official Form 1, Exhibit D) (12/08)

## **United States Bankruptcy Court** Northern District of Illinois

In re	Nachshon Draiman		Case No.	
		Debtor(s)	Chapter	11

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] \_\_\_\_

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

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mental deficiency financial responsib □ Disabilit unable, after reaso through the Interna	ty. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or so as to be incapable of realizing and making rational decisions with respect to bilities.);  ty. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being nable effort, to participate in a credit counseling briefing in person, by telephone, or
	tates trustee or bankruptcy administrator has determined that the credit counseling § 109(h) does not apply in this district.
I certify under pe	enalty of perjury that the information provided above is true and correct.
Signature of Debtor:	/s/ Nachshon Draiman Nachshon Draiman
Date: May 14, 2009	

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**B4** (Official Form 4) (12/07)

## **United States Bankruptcy Court** Northern District of Illinois

In re	Nachshon Draiman	Case No.		
		Debtor(s)	Chapter	11

### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Alan Mandel 7520 N. Skokie Blvd. Skokie, IL 60077	Alan Mandel 7520 N. Skokie Blvd. Skokie, IL 60077	Attorney's Fees and Costs	Disputed Subject to Setoff	193,963.62
BankFinancial, F.S.B. 3443 W. Touhy Avenue Lincolnwood, IL 60712	Bank Financial 3443 W. Touhy Avenue Lincolnwood, IL 60712	Personal Line of Credit		120,000.00
BankFinancial, F.S.B. 3443 W. Touhy Avenue Lincolnwood, IL 60712	Bank Financial 3443 W. Touhy Avenue Lincolnwood, IL 60712	Guaranty on Bank Loan, Lifescan Laboratiries, Inc.	Contingent Unliquidated	259,748.58
BankFinancial, F.S.B. 3443 W. Touhy Avenue Lincolnwood, IL 60712	Bank Financial 3443 W. Touhy Avenue Lincolnwood, IL 60712	Guaranty on Bank Loan, Peterson Park Health Care Center	Contingent Unliquidated	1,048,361.25
BankFinancial, F.S.B. 3443 W. Touhy Avenue Lincolnwood, IL 60712	Bank Financial 3443 W. Touhy Avenue Lincolnwood, IL 60712	Guaranty of Real Estate Mortgage Loan, Lifescan Laboratiries, Inc.	Contingent Unliquidated	859,670.31
Brickyard Bank 6676 N. Lincoln Avenue Lincolnwood, IL 60712-3631	Brickyard Bank 6676 N. Lincoln Avenue Lincolnwood, IL 60712-3631	Guaranty on Bank Loan, Embassy Holdings, LLC	Contingent Unliquidated	2,200,000.00
Brickyard Bank 6676 N. Lincoln Avenue Lincolnwood, IL 60712-3631	Regina Hirn Brickyard Bank 6676 N. Lincoln Avenue Lincolnwood, IL 60712-3631 847-979-2265	Personal line of credit		677,251.85
Cole Taylor Bank 225 W. Washington St. 8th Floor Chicago, IL 60606	Jonathon Rothstein Cole Taylor Bank 225 W. Washington St., 8th Floor Chicago, IL 60606 312-442-5000	Guaranty of Bank Loan LOC, LCF Associates	Contingent Unliquidated	400,000.00
Cole Taylor Bank 225 W. Washington St. 8th Floor Chicago, IL 60606	Cole Taylor Bank 225 W. Washington St., 8th Floor Chicago, IL 60606	Guaranty of Real Estate Mortgage Loan, LCF Associates	Contingent Unliquidated	1,000,000.00
Danny Shabat 3531 W. Howard Skokie, IL 60076	Danny Shabat 3531 W. Howard Skokie, IL 60076			200,000.00

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B4 (Office	cial Form 4) (12/07) - Cont.		
In re	Nachshon Draiman	Case No.	
	Debtor(s)		

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Dynegy Marketing and Trade 1000 Louisiana Suite 5800 Houston, TX 77002	Dynegy Marketing and Trade 1000 Louisiana, Suite 5800 Houston, TX 77002	Judgment Creditor - Appeal Pending	Disputed	15,348,244.72
First Bank 900 East Higgins Road Elk Grove Village, IL 60007	First Bank 900 East Higgins Road Elk Grove Village, IL 60007	Guaranty of Bank Loan for now inactive business, Embassy Day Care Center, Inc.	Contingent Unliquidated Disputed	800,000.00
Great-West Life & Annuity et al. c/o Chittenden Murday Novotny 303 W. Madison #1400 Chicago, IL 60606	Great-West Life & Annuity et al. c/o Chittenden Murday Novotny 303 W. Madison #1400 Chicago, IL 60606	Pending litigation - health insurance claims	Contingent Unliquidated Disputed	142,360.00
Greenberg Traurig 77 West Wacker Drive Suite 2500 Chicago, IL 60601	Greenberg Traurig 77 West Wacker Drive, Suite 2500 Chicago, IL 60601	Attorneys' Fees and Costs	Disputed Subject to Setoff	827,310.10
Israel Discount Bank Yehuda Halevy 27-31 POB 456 Tel Aviv , Israel, 65136	Israel Discount Bank Yehuda Halevy 27-31, P.O. Box 456 Tel Aviv, Israel 65136	Pending Litigation	Contingent Unliquidated Disputed Subject to Setoff	25,000,000.00
Peterson Park 7520 Skokie Blvd. Skokie, IL 60077	Peterson Park 7520 Skokie Blvd. Skokie, IL 60077		Contingent Unliquidated Disputed	3,000,000.00
Premier Bank 1210 Central Avenue Wilmette, IL 60091	Ginett Ramos Premier Bank 1210 Central Avenue Wilmette, IL 60091 847-920-1400	Guaranty on Bank Loan, Embassy Holdings, LLC	Contingent Unliquidated	749,316.68
Robert Hartman 6633 N. Lincoln Avenue Lincolnwood, IL 60712	Robert Hartman 6633 N. Lincoln Avenue Lincolnwood, IL 60712	Loan - Business		200,000.00
Ron Shabat 5936 N. Bernard Chicago, IL 60659	Ron Shabat 5936 N. Bernard Chicago, IL 60659			750,000.00
Virginia Feddeler et al. c/o Paul R. Shuldiner 20 S. Clark #500 Chicago, IL 60603	Virginia Feddeler et al. c/o Paul R. Shuldiner 20 S Clark #500 Chicago, IL 60603	Pending litigation - personal injury torte claim	Contingent Unliquidated Disputed	3,000,100.00

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B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Nachshon Draiman	Case No.	
	Debtor(s)		

### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

## DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, Nachshon Draiman, the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date	May 14, 2009	Signature	/s/ Nachshon Draiman
			Nachshon Draiman
			Debtor

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

Embassy Holdings, LLC 7520 Skokie Boulevard Skokie, IL 60077

1ST Equity Bank 3956 W. Dempster Skokie, IL 60076

Alan Mandel 7520 N. Skokie Blvd. Skokie, IL 60077

AT&T Bankruptcy Department P.O. Box 769 Arlington, TX 76004

AT&T Bankruptcy Department P.O. Box 76004 Arlington, TX 76004

Bank Financial Visa P.O. Box 491 Lincolnshire, IL 60069-0491

BankFinancial, F.S.B. 3443 W. Touhy Avenue Lincolnwood, IL 60712

Brickyard Bank 6676 N. Lincoln Avenue Lincolnwood, IL 60712-3631

Bruria Draiman 6005 N. Kimball Unit 304 Chicago, IL 60659

Business Card Services P.O. Box 84030 Columbus, GA 31908-4030

Capital One FSB (Add Notice)
Ref:
P.O. Box 85015
Richmond, VA 23285-5015

Capital One FSB (Collections) Attn: Collections/Ref: P.O. Box 85147 Richmond, VA 23285

Capital One FSB (Main Corresp)
Ref:
P.O. Box 30285
Salt Lake City, UT 84130

Chase Card Services/5493-Auto P.O. Box 15298 Wilmington, DE 19850-5298

Chase Card Services/8882-Office P.O. Box 15298 Wilmington, DE 19850-5298

Chase Card Services/9301 P.O. Box 15298 Wilmington, DE 19850-5298

Cole Taylor Bank 225 W. Washington St. 8th Floor Chicago, IL 60606

Comcast P.O. Box 3001 Southeastern, PA 19398

ComEd, Attn: Revenue Mgmt. Customer Care Center Building 2100 Swift Drive Oak Brook, IL 60523

Countrywide P.O. Box 5170 Simi Valley, CA 93062-5170 Countrywide Bank P.O. Box 5170 Simi Valley, CA 93062-5170

Countrywide Home Loans P.O. Box 5170 Simi Valley, CA 93062-5170

Danny Shabat 3531 W. Howard Skokie, IL 60076

DirecTV, Inc. P.O. Box 9001069 Louisville, KY 40290-1069

Dr. J Segev & Co Law Office 4 Wissotzky St. Tel Aviv 62502 Isreal

Dynamex, Inc. 131 E. Thorndale Avenue Wood Dale, IL 60191

Dynegy Marketing and Trade 1000 Louisiana Suite 5800 Houston, TX 77002

Dynegy Marketing and Trade c/o Barry Hyman and Helen Wilson SCHIFF HARDIN & WAITE Chicago, IL 60606

Embassy Care Center, Inc. 7520 Skokie Blvd. Skokie, IL 60077

Federal Express P.O. Box 94515 Palatine, IL 60094

First Bank 900 East Higgins Road Elk Grove Village, IL 60007 Ford Motor Credit 1005 Convention Plaza Saint Louis, MO 63101

Gershon Bassman

Great-West Life & Annuity et al. c/o Chittenden Murday Novotny 303 W. Madison #1400 Chicago, IL 60606

Greenberg Traurig 77 West Wacker Drive Suite 2500 Chicago, IL 60601

Haim Samet, Steinmetz, Haring, & Co Levinstein Tower, 18th Floor 23 Begin Road Tel Aviv 66184 Isreal

Hinkley Springs P.O. Box 660579 Dallas, TX 75266-0579

Humana Comp Benefits 200 W. Jackson Blvd. 9th Floor Chicago, IL 60606

Indy Mac Bank
1 Banting
Irvine, CA 92618

Internal Revenue Service Department of the Treasury Cincinnati, OH 45999

Israel Discount Bank Yehuda Halevy 27-31 POB 456 Tel Aviv , Israel, 65136 Key Bank 4910 Tiedeman Road Cleveland, OH 44144

Leland J. Cohn 7519 N. Lowell Skokie, IL 60077

Melissa Maddy c/o Steven J. Malman Law Office 205 W. Randolph, #1040 Chicago, IL 60606

NAME OF PARTY 12922 Bullfrog Creek Road Gibsonton, FL 33534

Peterson Park 7520 Skokie Blvd. Skokie, IL 60077

Premier Bank 1210 Central Avenue Wilmette, IL 60091

Robert Hartman 6633 N. Lincoln Avenue Lincolnwood, IL 60712

Ron Shabat 5936 N. Bernard Chicago, IL 60659

Safe Alarm Industries 7855 N. Gross Point Road Skokie, IL 60077

Sam Lipshitz 3942 N. Enfield Skokie, IL 60076

Sprint P.O. Box 660075 Dallas, TX 75266-0075 Standard Insurance Company P.O. Box 5676 Portland, OR 97228-5676

State Farm Insurance Insurance Support Center P.O. Box 680001 Dallas, TX 75368-0001

State Farm Insurance Companies P.O. Box 2329 Bloomington, IL 61702

The Hartford P.O. Box 2907 Hartford, CT 06104-2907

The Hartford/Business P.O. Box 2907 Hartford, CT 06104-2907

Unicare Health Insurance P.O. Box 0797 Carol Stream, IL 60132

Virginia Feddeler et al. c/o Paul R. Shuldiner 20 S. Clark #500 Chicago, IL 60603

#### NARRATIVE EXHIBIT TO

## **VOLUNTARY CHAPTER 11 PETITION OF NACHSHON DRAIMAN**

### **Prior Bankruptcy Cases Filed Within Last 8 Years:**

On March 24, 2004, an Involuntary Chapter 7 Bankruptcy Petition was filed in the U.S. Bankruptcy Court, Northern District of Illinois, Eastern Division as Case Number 04-11689 against Nachshon Draiman ("Alleged Debtor") by Yehuda Draiman, M. Draiman Corp., and U.S. Gas & Energy Corp., ("2004 Bankruptcy").

On or about March 26, 2004, counsel for the Alleged Debtor in the 2004 Bankruptcy case filed an Emergency Notice of Motion and Motion to Dismiss Case ("Motion to Dismiss"), and a Notice of Motion and Motion to Award Costs, Attorneys, Fees and Damages and Punitive Damages in Favor of Alleged Debtor ("Motion for Sanctions") in the 2004 Bankruptcy case.

On or about March 26, 2004, the Court in the 2004 Bankruptcy case entered an order granting the Alleged Debtor's Motion to Dismiss ("Order Dismissing") the 2004 Bankruptcy case. A copy of the Order Dismissing the 2004 Bankruptcy case is attached to this Narrative Exhibit.

On or about April 22, 2004, the Court in the 2004 Bankruptcy case denied Yehuda Draiman's Motion to Reinstate the Involuntary Bankruptcy Petition in the 2004 Bankruptcy case.

On or about May 21, 2004, the Court in the 2004 Bankruptcy case denied Yehuda Draiman's Motion to Reconsider in the 2004 Bankruptcy case.

On or about June 28, 2004, the Court in the 2004 Bankruptcy case partially granted the Alleged Debtor's Motion for Sanctions against Yehuda Draiman, M. Draiman Corp., and U.S. Gas & Energy Corp., relative to the Alleged Debtor's request for attorneys' fees, expenses and costs in the 2004 Bankruptcy case. The Court in the 2004 Bankruptcy case continued the hearing on the Alleged Debtor's request for punitive damages.

On or about July 13, 2004, the Court in the 2004 Bankruptcy case entered judgment in favor of the Alleged Debtor and against Yehuda Draiman, M. Draiman Corp., and U.S. Gas & Energy Corp., relative to the Alleged Debtor's request for punitive damages.

On or about July 14, 2004, Yehuda Draiman filed with the Court in the 2004 Bankruptcy case a Notice of Appeal. On or about March 31, 2008, the Honorable Judge David H. Coar of the U.S. States District Court, Northern District of Illinois, affirmed the 2004 Bankruptcy Court's judgments and orders dated March 26, 2004, June 28, 2004, and July 13, 2004.

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On April 21, 2008, the 2004 Bankruptcy case was closed and the assigned Chapter 7 Trustee was discharged.

The 2004 Bankruptcy docket available from U.S. Bankruptcy Court, Northern District of Illinois Live System is attached hereto.

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Case 04-11689 Doc 7 Filed 03/26/04 Document Page 17 of 25/26/04 17:34:37 Desc Main Page 1 of 1

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

In re:	)	Chapter 7
NACHSHON DRAIMAN,	)	Case No. 04-11689
Alleged Debtor.	)	

# ORDER GRANTING EMERGENCY MOTION OF ALLEGED DEBTOR TO DISMISS INVOLUNTARY CASE

Upon consideration of the Emergency Motion (the "Motion") of Nachshon Draiman (the "Alleged Debtor"), to (a) Dismiss Involuntary Case, (b) Award Costs, Attorneys Fees, Damages and Punitive Damages in Favor of Alleged Debtor, and (c) Impose Criminal Sanctions Against Petitioning Creditors; and upon a hearing thereon, and upon due consideration and for cause shown; it is hereby

ORDERED that the Motion is granted, in part, as set forth herein; and it is further ORDERED that the involuntary case is dismissed with prejudice; and it is further ORDERED that the petition creditors are hereby barred from filing any petitions

in this Court for twenty-four (24) months from the date of entry of this Order.

Dated: Chicago, Illinois

MAR 2 6 2004<sup>2004</sup>

UNITER STATES BANKRUPTCY HOOGE

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Form ntcdsm

### UNITED STATES BANKRUPTCY COURT

Northern District of Illinois Eastern Division 219 S Dearborn 7th Floor Chicago, IL 60604

Case No.: 04-11689 Chapter: 7 Judge: Eugene R. Wedoff

In Re: Debtor(s) (name(s) used by the debtor(s) in the last 6 years, including married, maiden, trade, and address):

Nachshon Draiman

7520 N. Skokie Blvd. Skokie, IL 60077

Social Security No.:

Employer's Tax I.D. No .:

#### NOTICE OF DISMISSAL

You are hereby notified that an Order Dismissing the above case was entered on March 26, 2004

Dated: March 26, 2004

Kenneth S. Gardner, Clerk United States Bankruptcy Court

**CLOSED** 

## **U.S. Bankruptcy Court** Northern District of Illinois (Chicago) **Bankruptcy Petition #: 04-11689**

Date filed: 03/24/2004

Assigned to: Honorable Judge John D. Schwartz *Date reopened:* 05/24/2004

Chapter 7 Date terminated: 04/21/2008 Involuntary Date dismissed: 03/26/2004

No asset

Petitioning Creditor Yehuda Draiman

2640 W. Touhy, No. 210 Chicago, IL 60645

represented by Yehuda Draiman

**PRO SE** 

**Petitioning Creditor** M. Draiman Corp

2640 Touhy Ave, No. 210 Chicago, IL 60645

represented by M. Draiman Corp PRO SE

Petitioning Creditor U.S. Gas & Energy Corp 2640 W. Touhy Ave., No 210

Chicago, IL 60645

represented by U.S. Gas & Energy Corp PRO SE

Alleged Debtor Nachshon Draiman

7520 N. Skokie Blvd. Skokie, IL 60077 SSN / ITIN: xxx-xx-0000 represented by Matthew Gensburg

Greenberg Taurig LLP 77 West Wacker Drive Suite

2500

Chicago, IL 60601 312 456-8400

Fax: 312-456-8435

Email:

gensburgm@gtlaw.com

Patrick M Jones

Geenberg Traurig PC 77 W Wacker #2400 Chicago, IL 60601

**Paul T Fox** 

Greenberg Traurig LLP 77 W Wacker Dr **Suite 2500** 

Chicago, IL 60601

U.S. Trustee

## William T Neary

Office of the U.S. Trustee, Region 11 219 S Dearborn St Room 873 Chicago, IL 60604 312-886-5785

Filing Date	#	Docket Text
03/24/2004	<u>1</u>	Chapter 7 Involuntary Petition. Filed by Yehuda Draiman, M. Draiman Corp, U.S. Gas & Energy Corp. (Ross, Demetrius) Additional attachment(s) added on 4/2/2004 (Brennan, Kelly). (Entered: 03/24/2004)
03/24/2004	<u>2</u>	Involuntary Summons Issued on Nachshon Draiman . (Ross, Demetrius) Additional attachment(s) added on 4/2/2004 (Brennan, Kelly). (Entered: 03/24/2004)
03/24/2004	3	Receipt of Chapter 7 Filing Fee - \$209.00 by DR. Receipt Number 03070726. Payment received from Draiman, Yehuda. (Entered: 03/25/2004)
03/26/2004	<u>4</u>	Notice of Motion and Motion to Dismiss Case, Notice of Motion and Motion to Award Costs, Attorneys, Fees and Damages and Punitive Damages in Favor of Alleged Debtor, Notice of Motion and Motion to Impose Criminal Sanctons Against Petitioning Creditor Filed by Paul T Fox on behalf of Nachshon Draiman . Hearing scheduled for 3/26/2004 at 03:00 AM at 219 South Dearborn, Courtroom 744, Chicago, Illinois 60604. (Attachments: # 1 Volume(s) # 2 Volume(s) # 3 Volume(s) # 4 Proposed Order # 5 Proposed Order) (Mcwilliams, Della) (Entered: 03/26/2004)
03/26/2004	<u>5</u>	Rule 9011 Certification Regarding Request for Emergency Hearing Filed by Paul T Fox on behalf of Nachshon Draiman (RE: 4 Motion to Dismiss Case, , ). (Mcwilliams, Della) (Entered: 03/26/2004)
03/26/2004	<u>6</u>	Appearance Filed by Matthew Gensburg, Patrick M Jones, Paul T Fox on behalf of Nachshon Draiman. (Mcwilliams, Della) (Entered: 03/26/2004)
03/26/2004	. 7	Order Granting Motion to Dismiss Case (Related Doc # 4 ). Signed on 3/26/2004. (Mcwilliams, Della) (Entered: 03/26/2004)
		Order Case Reassigned. Judge John D Schwartz added to case. Involvement of Judge Eugene R. Wedoff Terminated . Signed on

<u>8</u>	3/26/2004 (Mcwilliams, Della) (Entered: 03/26/2004)	
<u>9</u>	BNC Certificate of Mailing - Notice of Dismissal No. of Notices: 7. Service Date 03/28/2004. (Related Doc # 7) (Admin.) (Entered: 03/29/2004)	
<u>10</u>	Notice of Hearing re: Motion to Award Costs, Attorneys Fees, Damages and Punitive Damages in Favor of Alleged Debtor against Petititoning Creditor Filed by Matthew Gensburg on behalf of Nachshon Draiman. Hearing scheduled for 4/1/2004 at 10:00 AM at 219 South Dearborn, Courtroom 719, Chicago, Illinois 60604. (Mcwilliams, Della) (Entered: 03/30/2004)	
<u>11</u>	Order RE: Case reassigned from Judge Wedoff to Judge Schwartz . Signed on 3/29/2004 (Mcwilliams, Della) (Entered: 03/30/2004)	
<u>12</u>	Certificate of Mailing/Service (RE: <u>11</u> Order (Generic)). (Mcwilliams, Della) (Entered: 03/30/2004)	
13	Bankruptcy Case Closed and Trustee Discharged . (Mcwilliams, Della) (Entered: 03/30/2004)	
<u>14</u>	Appearance Filed by Alan J Mandel on behalf of Nachshon Draiman . (Sims, Mildred) (Entered: 04/01/2004)	
15	Hearing Continued (RE: 1 Involuntary Petition (Chapter 7)). Status hearing to be held on 4/20/2004 at 01:15 PM at 219 South Dearborn, Courtroom 719, Chicago, Illinois 60604. (Watson, Anthony) (Entered: 04/02/2004)	
<u>16</u>	Order Scheduling Yehuda Draiman, M Draiman Corp and US Gas & Engery Corp and anyone acting in concert with the Petitioning Creditors, shall be and hereby are restrained and enjoined from filing of causing to be filed any new petitions, motions or other matters seeking affirmative relief under Title 11 within first serve by messenger delivery such proposed pleading to Paul Fox and Alan J Mandel and simultaneously submitting such proposed pleading to the Chief Judge of this Court. Hearing on Yehuda Draiman's motion to reinstate cases and evidentiary hearing on Nachshon Draiman's motion for sanctions, including actual damages, punitive damages and attorneys fees and the subpoena served upon Yehuda Draiman on 3/31/2004 to testify at such hearing is scheduled for 4/20/2004 at 01:15 PM at 219 South Dearborn, Courtroom 719, Chicago, Illinois 60604. Responses due by 4/8/2004. Signed on 4/2/2004 (Mcwilliams, Della) (Entered: 04/02/2004)	
	9 10 11 12 13 14	

04/08/2004	<u>17</u>	Response in Opposition to Motion to Reinstate Invountary Bankruptcy Case to Filed by Paul T Fox on behalf of Nachshon Draiman (Mcwilliams, Della) (Entered: 04/08/2004)	
04/08/2004	<u>18</u>	Notice of Filing Filed by Paul T Fox on behalf of Nachshon Draiman (RE: <u>17</u> Response). (Mcwilliams, Della) (Entered: 04/08/2004)	
04/22/2004	<u>19</u>	Order Scheduling. The motion of Yehuda Draiman to reinstate the Involunary Bankruptcy Petition is denied. Hearing on the motion of the former alleged debtor for sanctions scheduled for 5/26/2004 at 10:30 AM at 219 South Dearborn, Courtroom 719, Chicago, Illinois 60604. pre-hearing memorandum by Nachshon Draiman due by 5/19/2004. Signed on 4/22/2004 (Mcwilliams, Della) (Entered: 04/26/2004)	
05/17/2004	<u>20</u>	Notice of Motion and Motion to Continue/Reschedule Hearing of 5/26/2004 Filed by Yehuda Draiman . Hearing scheduled for 5/19/2004 at 10:00 AM at 219 South Dearborn, Courtroom 719, Chicago, Illinois 60604. (Mcwilliams, Della) (Entered: 05/18/2004)	
05/17/2004	<u>21</u>	Amended Motion to Reconsider (related documents <u>16</u> Order Scheduling, , , ) Filed by Yehuda Draiman . (Mcwilliams, Della) (Entered: 05/18/2004)	
05/17/2004	22	Amended Motion to Reconsider Bankruptcy and Response to Muliut Corporation/Nachshon Draiman's Motion to Deny Reinstatement of Bankruptcy (related documents 1 Involuntary Petition (Chapter 7)) Filed by Yehuda Draiman . (Mcwilliams, Della) (Entered: 05/18/2004)	
05/18/2004	<u>23</u>	Amended Motion to Reinstate Case Filed by Yehuda Draiman . (Mcwilliams, Della) (Entered: 05/18/2004)	
05/19/2004	24	Hearing Scheduled for 5/26/04 is RE-SCHEDULED (RE: 1 Involuntary Petition (Chapter 7)). Status hearing to be held on 6/21/2004 at 10:30 AM at 219 South Dearborn, Courtroom 719, Chicago, Illinois 60604. (Watson, Anthony) (Entered: 05/19/2004)	
05/21/2004	<u>25</u>	Order Denying Motion To Reconsider. The hearing on the Alleged Debtor's motion for sanctions is reset for 6/21/2004 at 10:30 a.m. The former Alleged Debtor shall file its pre-hearing memorandum regarding its motion for sanctions on or before 6/14/2004 (Related Doc # 21). Signed on 5/21/2004. (Mcwilliams, Della) (Entered: 05/21/2004)	

05/24/2004	<u>26</u>	Order Reopen Case and the Dismissal shall stand. Case was inadvertently closed due to clerical error Signed on 5/24/2004 (Sims, Mildred) (Entered: 05/24/2004)	
06/21/2004	27	Hearing Continued (RE: 1 Involuntary Petition (Chapter 7)). Status hearing to be held on 7/12/2004 at 10:00 AM at 219 South Dearborn, Courtroom 719, Chicago, Illinois 60604. (Watson, Anthony) (Entered: 06/21/2004)	
06/28/2004	<u>28</u>	Order Scheduling .Debtor's motion for an award of attorneys' fees and costs and damages is granted in part and continued in part. The court enters judgment in favor of Debtor and against Yehuda Draiman, US Gas and Energy Inc and M Draiman Corp jointly and severally in the amount of \$25,000.00 in attorneys fees and costs. Hearing scheduled for 7/12/2004 at 10:00 AM . Responses due by 6/28/2004. Signed on 6/28/2004 (Mcwilliams, Della) (Entered: 06/28/2004)	
07/06/2004	<u>29</u>	INCORRECT EVENT ENTERED Notice of Motion and Motion to Vacate (related documents <u>25</u> Order on Motion To Reconsider, ) Filed by Yehuda Draiman . Hearing scheduled for 7/12/2004 at 10:00 AM at 219 South Dearborn, Courtroom 719, Chicago, Illinois 60604. (Williams, Marie) Modified on 8/13/2004 (Mcwilliams, Della). (Entered: 07/08/2004)	
07/06/2004	42	Notice of Motion to reconsider the order of 6/21/2004 of the Court awarding fees to Multiut Corporation and Nachshon Draiman Filed by Yehuda Draiman . (Mcwilliams, Della) (Entered: 08/13/2004)	
07/08/2004	<u>30</u>	Joint Notice of Motion and Motion for Criminal Referral, Notice of Motion and Motion to Strike Pleadings filed by Yehuda Draiman Filed by Paul T Fox on behalf of Nachshon Draiman. Hearing scheduled for 7/12/2004 at 10:00 AM at 219 South Dearborn, Courtroom 719, Chicago, Illinois 60604. (Sims, Mildred) (Entered: 07/08/2004)	
07/13/2004	<u>31</u>	Order Judgment is entered in favor of Nachshon Draiman and against Yeshuda Draiman, M Draiman Corporation and US Ga & Energy Corp in the amount of \$450,000.00 in punitive damages, said judgment being in addition to and not in lieu of, the relief granted and the judgments entered by this Court in far of Nachshon Draiman and against Yehuda Draiman, M Draiman Corporation and US Gas & Energy Corp by this Court's order of 6/28/2004. Yehuda Draiman's motions to reconsider this Court' order of 6/28/2004 and for protective order and for appointment of counsel are denied. Signed on 7/13/2004 (Mcwilliams, Della (Entered: 07/14/2004)	

07/14/2004	32	Receipt of Notice of Appeal Fee- \$5.00 by EG. Receipt Number 03090770. Payment received from Draiman. (Entered: 07/15/2004)	
07/14/2004	33	Receipt of Docketing of Appeal Fee- \$250.00 by EG. Receipt Number 03090770. Payment received from Draiman. (Entered: 07/15/2004)	
07/14/2004	<u>34</u>	Notice of Appeal Filed by Yehuda Draiman . Fee Amount \$255 (RE: 31 Order (Generic), Order (Generic), Order (Generic)). Appellant Designation due by 7/26/2004. Transmission of Record Due by 8/23/2004. (Sims, Mildred) (Entered: 07/16/2004)	
07/16/2004	<u>35</u>	Notice of Filing to Bk Judge and Parties on Service List (RE: 34 Notice of Appeal). (Sims, Mildred) (Entered: 07/16/2004)	
07/22/2004	<u>36</u>	Appellant Designation of Contents for Inclusion in Record and Statement of Issue On Appeal Filed by Yehuda Draiman . (RE: 34 Notice of Appeal). (Sims, Mildred) (Entered: 07/23/2004)	
07/26/2004	<u>37</u>	Request for Transcript re: Appeal Filed by Yehuda Draiman . (RE: 34 Notice of Appeal). Transcript Due by 8/20/2004. (Williams, Marie) (Entered: 07/26/2004)	
08/02/2004	<u>38</u>	Appellee Designation of Additional Contents for Inclusion in Record of Appeal Filed by Paul T Fox on behalf of Multiut Corporation, Nachshon Draiman. (RE: 34 Notice of Appeal). (Sims, Mildred) (Entered: 08/03/2004)	
08/02/2004	<u>39</u>	Notice of Filing Filed by Paul T Fox on behalf of Nachshon Draiman, Multiut Corporation (RE: 38 Appellee Designation). (Sims, Mildred) (Entered: 08/03/2004)	
08/06/2004	<u>40</u>	Brief in Support of Appeal Filed by Yehuda Draiman . (RE: 34) (Sims, Mildred) (Entered: 08/09/2004)	
08/13/2004	41	CORRECTIVE ENTRY INCORRECT EVENT ENTERED (RE: 29 Motion to Vacate, ). (Mcwilliams, Della) (Entered: 08/13/2004)	
08/23/2004	43	Transmittal of Record to The U.S. District Court. Civil Case Number: 04C 5533 Assigned to District Court Judge: Manning (RE: 34 Notice of Appeal). (Sims, Mildred) (Entered: 08/23/2004)	
		Supplemental Transmittal of Record to The U S District Court. Civil Case Number: 04 C 5533 Assigned to District Court Judge:	

08/27/2004	<u>44</u>	Manning (RE: 34 Notice of Appeal). (Sims, Mildred) (Entered: 08/27/2004)	
10/06/2005	<u>45</u>	Notice of Motion and Emergency Motion to Declare Judge Schwartz Order of 4/24/2004 Unconstitutional and Unenforceable Filed by Yehuda Draiman . Hearing scheduled for 10/11/2005 at 10:00 AM at 219 South Dearborn, Courtroom 744, Chicago, Illinois 60604. (Green, Charlie) (Entered: 10/07/2005)	
10/06/2005	<u>46</u>	Notice of Filing Filed by Yehuda Draiman (RE: <u>45</u> Generic Motion, ). (Green, Charlie) (Entered: 10/07/2005)	
10/11/2005	<u>47</u>	Order Granting Motion that leave is given Yehuda Draiman to file a bankruptcy proceeding under Chapter 7 or Chapter 11 of the United States Bankruptcy Code for the reasons stated in open court. (Related Doc # 45). Signed on 10/11/2005. (Green, Charlie) (Entered: 10/12/2005)	
10/12/2005	<u>48</u>	Notice of Filing re: debtor documents and exhibits attached hereto Filed by Yehuda Draiman . (Green, Charlie) (Entered: 10/13/2005)	
04/04/2008	<u>49</u>	Copy of Order from U S District Court Dated: 3/31/08, by Judge Coar, Re: Civil Action Number: 04C5533. Affrims Court final judgement and orders dated 3/26/04, 6/28/04 and 7/13/04. This case is closed (RE: 34 Notice of Appeal). Signed on 4/4/2008 (Sims, Mildred) (Entered: 04/07/2008)	
04/21/2008	50	Bankruptcy Case Closed and Trustee Discharged . (Green, Charlie) (Entered: 04/21/2008)	

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PACER Login:	rr0175	Client Code:		
Description:	Docket Report	Search Criteria:	04-11689 Fil or Ent: filed From: 1/1/2001 To: 3/27/2009 Doc From: 0 Doc To: 99999999 Term: included Format: html	
Billable Pages:	4	Cost:	0.32	